Sectt. M-29—27,004—25-11-25.

Revenue (1926) Department.

Mis SERIES.

G.O. No. 190

190

DATED 4-2-26

[Despatch Abstract.]

COURTS - Village Panchayat - South Kanara - Mangalore - Casba Bazaar panchayat court Additional Karnam - Sanctioned.

1

C.F. 31—10 138—8-9-24.

REVENUE **DEPARTMENT.**

CURRENT No. 2994C

Received ..... 192 *Registered* 25/5/25 192

Subject.

COURT, Village Panchayat - (South Kanara) - Mangalore taluk - Casba Bazaar- Additional clerk - Employment.

ENCLOSURES.
No. .....
.....
Spare copies .....

REFERENCE No. B.1773-25-1.

Station Madras. , *Dated the* 25th May 1925.

From W. Scott Brown Esq., I.C.S.,
Secretary.

~~The~~ Board of Revenue, Land Revenue and ~~Revenue~~ Settlement, ~~etc.~~ ~~Separate Revenue.~~

Resolution
Reference.

P. L. Moore Esq., C.I.E., I.C.S.,
Commissioner of Land Revenue.

Read the following:-

Letter from G.F. Wells Esq., I.C.S., Collector of South Kanara, No. Ref. 1999/25/A2, dated 11th May 1925.-

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Courts - Village Panchayats - Mangalore Taluk - Casba Bazzar - Entertainment of an additional clerk applied for.

At the inspection of the Casba Bazaar Panchayat Court, Mangalore, on 29th December 1924, the Tahsildar, Mangalore, noticed that the records of Civil suits disposed of since 1922 had not been indexed and sent to the District Munsif. The Revenue Divisional Officer, Mangalore, requested the President to take

2

up the work immediately and send fortnightly progress reports. In reply, the President says that as even the daily work of the court is too much for the one clerk, the indexing work cannot be attended to by that clerk and requests the entertainment of one more permanent clerk. A copy of his reply is enclosed.

2. The number of suits filed in this Court since 1921 is shown in the margin. The figures show that the work of the Court has almost doubled since 1921. An assistant shanbhogue was sanctioned to this court in G.O. No. 879 Revenue, dated 21st March 1910 communicated with B.P. No. 1148 Mis. L.R. dated 29th March 1910.

Year.	No. of suits.
1921	1767
1922	2838
1923	3338
1924	3301

(V)

3. As the work of the Court has greatly increased since 1921, the request of the President seems to be reasonable. I therefore request that Government may be moved to sanction an additional permanent clerk for this Court on a pay of Rs.15 per mensem.

Enclosure.

Copy of letter from the President, Kasba Panchayat Court, Mangalore, to the Revenue Divisional Officer, Mangalore, through the Tahsildar, Mangalore, No. nil. dated 28th January 1925:-

With reference to your L.Dis.C.No.114-2-1925 dated 13th January 1925 copy of which has been communicated to me with Tahsildar's N.Dis.C.190/Sup. 25 of the 17th instant I beg to submit the following for your kind consideration.

The sub-joined statement shows:-

The state of the file of the Kasba Panchayat Court and the work that has to be attended to.

	Suits.	Execution petitions.	Copy applications.
1921	1767	309	508
1922	2838	720	977
1923	3338	777	1097
1924	3301	1001	1240
Total:	11244	2807	3822
Average	2811	702	955

It will be seen that institutions of all suits alone have doubled themselves while execution petitions and copy

applications are nearly thrice those in 1921.

I may be permitted to bring to your kind notice that the single clerk who has been sanctioned to this court has been doing his duties not only during office hours but utilises most of his time in the mornings and evenings and holidays for court work, so much so that even for writing processes to be issued to parties and witnesses, he is preparing the originals in the office and takes home duplicate forms for filling in the necessary entries. I may boldly say that but for the quickness and the expediency of his work, it is almost impossible to an ordinary clerk to turn out as much as he does now and no extra work can be exacted from him.

Having regard to the above facts, it is with the greatest difficulty, I manage to keep the current work up to date. In this connection I may bring to your notice that owing to the paucity of process-servers service of processes is not quite satisfactory in as much as many processes are returned every day unserved with the results that the suits have to be adjourned on that account and the scriptory work of processes is enhanced. In addition the clerk has to attend to the despatch of copy applications to the District Court for compliance and delivery of copies to parties on their return from that Court and also make the required endorsement on the copy of decrees sought for execution to the superior court. All these occupy the clerk's whole time and the present clerk cannot be taxed with any extra work. Consequently the work of indexing the records has not been attended to from the year 1922 and it is impossible to attend to that branch of work at present by that clerk. This fact was brought to the notice of the Tahsildar on 24th February 1921.

Since it is apparent from the figures given above that the entire clerical work of this Court cannot be kept up to date by one clerk alone, I humbly beg to submit that at least one more clerk may kindly be sanctioned to this Court as requested in my report of 24th February 1921 to the Tahsildar. In this

connection the opinion expressed by the Collector in the order communicated by the Tahsildar in Ref. C.2944/Sup.22, dated 19th September may kindly be perused wherein it was announced that ordinarily 900 suits per year may be taken as the standard of work for a clerk in a village court.

I most humbly beg to submit that at least one more permanent clerk may be sanctioned and a temporary one until the permanent clerk is sanctioned may be ordered to be entertained to enable me to have the work of indexing the records and the endorsing payment of decree amount on the back of the original decrees and the submission of the fortnightly report taken up at once.

In sub paragraph 3 of paragraph 1 I am required to endorse on the original decree any payment or adjustment of the amounts due under the decree. So far as original decrees, the records of which are in this Court are concerned, this can be done. I solicit orders as to how such endorsements should be made in respect of decrees in suits records of which are not in this Court but sent to the District Munsif.

I beg to submit that a separate register showing the Court fee amount required to be maintained has been opened before the receipt of the order.

****

REFERENCE.

Submitted to Government.

2. The application for the additional clerk is made mainly on the ground that the records have not been indexed since 1922. Either the records cannot be indexed or additional staff is necessary - at least to bring indexing up to date. It is a question for the judicial department to decide whether District Munsif's Courts can be asked to take a mass of unindexed records and store them in the record rooms.

W Scott Bourne 27/5

SECRETARY.

To the Second Secretary to Government.

V.C.27.5.25.

Law (Genl) Dept.

Letter Refer No. 2831B-1dt. 5/6/25

To,

The Honble the C. J

High Court of Judicature
Madras

Copied 9/6/25

10 JUN1925

Subject Court - Village Panchayat

Cagaba Bazaar - Mangalore Taluk.

Addl: Clerk.

Honble Sir,

I am directed to forward a copy of the letter of the Collector of South Kanara, dated the 11th May '25 with a copy of the Resolutions of the Board of Revenue Land Revenue & Settlement, ~~passed~~ on the above subject and to request that the Honble the Judges will be so good as to offer their views as to the establishment in the ~~connection with~~ (the letter) District Municipal Courts can be asked to take up and index the unindexed records of Village Panchayat Courts. ~~and store them in their record rooms~~

P.G.Rs 5/6/25

5/6/25

5/6/25

Law (General) Deptt

Letter
Refce 2831 B.2
8 925

To

The Hon'ble Actg C.J
High Court of Judicature
Madras.

RECEIVED
9 SEP 1925

Subject. - Court - Village Panchayat - Cossba bazaar Mangalore taluk - Addl. clerk.

Hon'ble Sir,

Refce. Letter No: 2831B Law (General) d 8-6-25

I am directed to ~~request~~ enquire when a reply to the above reference may be expected

I have the honour to be
Hon'ble Sir
Your most obedient servant

C.F. —5,000—10-6-25

7-9

DEPARTMENT.

UNDER SECRETARY TO GOVT. LAW DEPARTMENT
18 SEP 1925

Received ..... 192 . *Registered* 192

Subject.

Lg. 4708 B - 18 pr
Law (General) Dept.
May be reminded on 5-10-25 if necessary
16/9 16/9
CR 19-9.

ENCLOSURES
No. .....
.....
Spare copies.....

R.O.C. No. 1573/25.

Station Madras , *Dated the* 15th September 1925.

From (Name) S. Wadsworth Esquire, I.C.S.,

(Designation) Registrar, High Court.

To The Secretary to the Government of Madras,

Law (General) Department.

Sir,

Village Panchayat Courts--Indexing of papers by clerks of District Munsif's Courts--Your letter No.2031 B-2 dated 8th September 1925. 56 and

---

I am to state that the matter is under consideration.

I have the honour to be,
Sir,
Your most obedient servant,

S. Wadsworth

Registrar.

O.V. 16/9

11

Law (Genl)

Letter 2831 B-3 Dy 17.X.25
Reyce

To

The Hon'ble the Chief Justice
High Court of Judicature
Madras.

DESPATCHED
20 OCT 1925

Hon'ble Sir,

Courts – Village Panchayat –
Casha Bazaar – Mangalore Taluk
Additional clerk – employment
Ref. letter no. 2831 B-1 Dy 8-6-25.

I am directed to enquire
when a reply to the above referen
may be expected.

16.10.25

17/10

17.10.25

C F 30

9 13

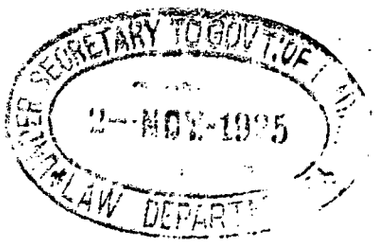
DEPARTMENT.

Received ..... 192 *Registered* 192

Subject.

hg 5632B
2425

M Read 3/11



ENCLOSURES.
No. .....
.....
Spare copies .....

R.O.C. No. 1573/25.

Station Madras *Dated the* 28th October 1925

From (Name) S. Wadsworth Esquire, I.C.S.,

(Designation) ~~Registrar, High Court.~~

To The Secretary to the Government of Madras

Law (General) Department.

Sir,

Court--Village Panchayat--unindexed records--taking up and indexing in District Munsif's Court. Your letter No.2831 B-1 dated 8th June 1925.

---

f 5 supra

I am to state that District Munsif's Courts are already undermanned and cannot take up and index the unindexed records of Village Panchayat Courts without extra staff. In the opinion of the Hon'ble the Judges indexing is of very little value, unless it is done in the trial courts and consequently provision therefor should be made in the Village Courts themselves--extra establishment being employed where necessary.

I have the honour to be,
Sir,
Your most obedient servant,

S. Wadsworth

Registrar.

~~10~~ 15

Revenue Deptt

Subject :- Courts - village Panchayat (S. Kanara) - Mangalore taluk. Casba bazar - Supplement grn addl clerk

(CNo. 2994 C/25) From the Board of Rev (dlks) Ref. B. 1773/25-1 dt 25/5/25

To Asst Secy.

Please see the Board's remarks at ℘ 4 cf. Law (Genl) may be requested to state whether the ~~indexing of~~ records can also be taken as they are and indexed later ~~undertaken~~ by the establishment of the municipal Courts.

ASSISTANT SECRETARY TO GOVT. 8-JUN-1925 LAW DEPARTMENT

A

Temp 2994 C/25-1
2-6-25

VS
1-6-25

1.6.25

2.6.25

Law (Gl)

ASSISTANT SECRETARY TO GOVT. 4-JUN-1925 LAW DEPARTMENT

Law (Genl) Dept

AS.

Ff 2831B
4.6.

Submd that the High Court may first be consulted. A Draft letter is submd

pcf

Pl
5.6.25

GR
6.6.25

Sd
5.6.25

CNo. 5632B From the Registrar High Court - Roc. 1573/25 Dt 28/10/25

As.

with reference to A above, it is stated in the

High Court's letter that the District Munsif's Courts cannot p.9 cf

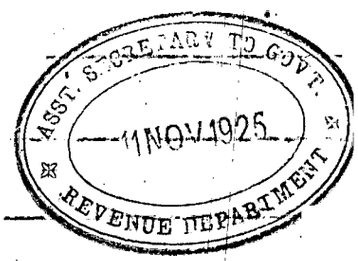
take up and index the unindexed records of Panchayat arrangements
Courts without extra staff and that ~~provision~~ should
therefore be made for the indexing of records
before they are sent to D. Munsif's Courts
~~employing extra staff wherever necessary~~ Revenue
may be informed accordingly.

Law (Genl) ms 2831/B-4
20.11.25

Rev 61/6.C.
11.11.'25

Rev dept

To Asst Secy:-



These see the letter from the High Court at p.9 cf. Subd that the Board of Rev may be informed that the indexing has to be done in the Village Panchayat court itself and asked what extra staff is necessary on this account. The Board may also be asked to state how the extra cost on this account can be met.

A draft memo is subd for approval.

Indexing does not seem to be
~~Note seems to be made~~
of the business of the Revenue Dept
So indexing the duty of the Karnam
of the Asst. Karnam? ~~Who said~~ The Presi-
dent of the Panchayat court
asks for an addl clerk. Which

17

depts. sanctioned the present clerk and to which deptt. is his pay debited?

18.11.25

To Asst Secy

Assistant Karnam (employed under the orders in Go 1636 Rev dated 5-9-22) is intended to afford relief to village Courts. He will form part of village Estts though doing primarily the duties of village court. It would thus appear that the duties of these Asst Karnams have not been defined and that what is intended is general assistance. If the Collr and the Board agree that the work is one which is usually done in village courts elsewhere, there appears to be no objection to the employment of the Asst Karnam being sanctioned by Govt

(3)

A

2/ The present Asst Karnam (Shankar) employed in the Mangalore Panchayat Court was sanctioned in this deptt - Vide Go 879 Rev dated 21-3-1910. The pay of Asst Karnams sanctioned for these Courts is debited to village Estt budget

(V)

4 15 16

under 22. Govt Admn - vide notes of Hon'ble Members at pp 62-67 of notes to Go 1636 Rev d 5-9-22.

16 solicitor 3/. For orders whether the Board may be asked as at 'A' in para 1 at p 3 supra

15 26/11/25 S/.

The single clerk now attached to this Village panchayat court appears to be no other than the assistant Karnam sanctioned in G.O. No 879 Rev. d 21.3.1910.

Under section 10 of the Village Courts Act, the Village munsif (which Expression includes also the president of a panchayat court) shall keep the register of suits & shall write the proceedings & it shall be the duty of the village Karnam, if so required, to assist in keeping such register & in writing the proceedings of the Court. Under sec. 12 it shall be competent to the Collr. of the Dist, subject to the control of the Govt. in Council, to appoint any person in lieu of, or in addition to, the Village Karnam to perform the duties prescribed by Sec. 10

p. 3 of the Village Courts Manual,

vide explanation of 'Village munsif' in Sec. 5 of the Act

(3)

A

44 19

It is presumed that the duty ~~of the~~ of the Karnam or the addl. Karnam under Sec. 10 should be taken to be the clerical duties generally of the Court and need not be taken as restricted strictly to assisting in keeping the register of suits & writing the proceedings of the Court.

The Govt. have in the past declined to sanction employment of separate clerks for the panchayat courts but have held that whatever clerical assistance is required should be rendered by the Village Karnam or ~~by~~ by the addl. Karnam employed for the purpose, the cost being debited to "22- Genl. Admn. - District Admn." & not to "Law & Justice".

Ref: [illegible] No. 1251 Rev 23-5-19 (19)

Ref: [illegible] No. 64-67 dt. 5/6/1636 Rev 5-9-22 (3)

Para 3 of Jo. B 39/1[illegible] (1) 21-9-23

In the present instance suffi. case has been made out for the employment of an addl. Asst. Karnam not merely for bringing the indexing upto date, but also for the work of the Court generally. If this is to be sanctioned, it is unnecessary to ask the Bd. ~~to be asked~~ that the extra cost in the current & next years are proposed to be met as it is only Rs 168 p.m. & the Bd. can easily meet

~~15~~/20

from existing provisions in the
Budget of ~~X~~ para. 75 (Note (vi) under) of the Budget Manual. p 30 of the Manual

VB
4.12.25

What is the number of suits for amount
above the amount for which it is usual to
employ an Addl Karnam? Then
is an Addl Karnam

SD
8/12/25

The average No. of suits which
entitles a village court to an
~~Asst~~ Karnam is 900 per annum.
G.O. No 1636 Rev. dt 5.9.22 ~~at pt 3~~ pt 3

SD
8.12.25

Rs may get an additional
Asst Karnam at once. But he will
have to draw up proposals for it. SD 15/12 ✓

To Asst Secy.

The Collr of ~~Malabar~~ S. Kanara has pt 1-2 CF
applied for a permanent ~~addn~~ hand. It
is however suggested that the Asst
Karnam now to be sanctioned may be
temporarily for a period of one
year. The need for an addl hand
was said to be mainly the arrears in widening
work. The Collr would no doubt

For orders.
VP
30.12.25

apply for retention of the Asst Karnam if necessary at the end of the period if the work were to justify his retention

2/. A draft order is sent for approval. It may be sent to Finance for acceptance.

16-12-25

30.12.25

S

Fin U.O. for acceptance

D.1.26

Remp 2994 C/25-4

4-1-26

ASSISTANT SECRETARIAT 5 JAN 1926 REVENUE DEPARTMENT

Finance E.R.

In the circumstances stated by the President, Kasha Panchayat Court, Mangalore Finance may perhaps, agree to the employment, temporarily for a period of one year of an additional Assistant Karnam as recommended by the Rev. dept.

246 ME ER 5-1-26.

11.1.26.

12.1.26

Rev dept

W.6.246 E R-1

12-1-26.

ASST. SECRETARY TO GOVT. 19 JAN 1926 REVENUE DEPARTMENT

To Asst Secy.

The draft order may now issue. The words "in the year" may perhaps be omitted.

15.1.26.

D.R.D 18.1.26

19.1.26

S

C 2 11/1

ew 1.2.26.

Sectt. II-5 (a)—28,703—6-12-24. (6)

Rev DEPARTMENT.

	Date.	Initials.
When received for Fair-copying.		
When copied ..	4/2/26	
When examined ..		RR
When signed ..		
When despatched ..		

READ AGAIN G.O. No....., dated.....192 .

" " " " ..... " .....192 .

READ ALSO:—

C. No. 2994C/25 From the Board of Rev (ARS), Rev No. B. 1773/25-1, dated 25-5-1925.

" " Letter to the Hon'ble the Chief Justice, High Court of Judicature, Madras, 2831B-1 " 8-6-1925.

" " From the Regr, High court Roc 1573/28 " 28-10-1925.

ORDER.

No. 190, dated 4.2.1926.

Mis.

The Govt sanction the employment temporarily for a period of one year from the date of the employment of an additional Assistant Karnam for the Casba Bazaar Panchayat Court Mangalore, S. Kanara dt, on the same rate of pay as is prescribed ~~in the year~~ for Asst Karnams in other ryotwari villages.

To,

The Board of Rev (ARS)

" Acct. Genl through Fin

Copy to Finance

Law (Genl).

16-12-25

30.12.25

27.1